

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re RORY JOSHUA, AY5819,
Plaintiff.

No. C 16-4353 CRB (PR)
ORDER OF DISMISSAL

On August 2, 2016, the clerk filed as a new prisoner action a letter from plaintiff complaining of inadequate medical care at San Quentin State Prison. On that same date, the court notified plaintiff in writing that the action was deficient because he did not file an actual complaint or pay the requisite filing fee or, instead, submit a signed and completed court-approved in forma pauperis (IFP) application. Plaintiff was advised that failure to file the requested items within 28 days would result in dismissal of the action.

Plaintiff instead filed a letter explaining that he did not intend his letter to be filed as a new action as he was still exhausting administrative remedies. Good cause appearing, the case is DISMISSED without prejudice. The clerk is instructed to close this matter as improvidently opened. No filing fee is due.

SO ORDERED.

DATED: Sept. 16, 2016


CHARLES R. BREYER
United States District Judge